

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**LARRY HOLMBERG,**  
*Plaintiff-Appellant*

**v.**

**STEALTH CAM, LLC,**  
*Defendant-Cross-Appellant*

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2016-1070, -1135

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Appeals from the United States District Court for the  
District of Minnesota in No. 0:11-cv-00248-DWF-LIB,  
Judge Donovan W. Frank.

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**ON MOTION**

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Before NEWMAN, DYK, and WALLACH, *Circuit Judges*.  
WALLACH, *Circuit Judge*.

**O R D E R**

The parties jointly move for a remand to the United  
States District Court for the District of Minnesota.

On March 22, 2016, this court granted the parties'  
joint motion to stay these appeals pending the district  
court's disposition of Larry Holmberg's motion for an

indicative ruling as to whether the district court would grant a motion to vacate its claim construction order and final judgment due to settlement. The parties now inform the court that the district court judge indicated in a telephone conference that he would prefer not to grant an indicative ruling but would prefer for the parties to seek remand at this court. The district court judge also stated that he would vacate the claim construction order and final judgment to facilitate settlement and dismissal if the case were remanded. In doing so, the court takes no position on whether vacatur is appropriate.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to remand is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

/s/ Daniel E. O'Toole  
Daniel E. O'Toole  
Clerk of Court

ISSUED AS A MANDATE: 4-22-16

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